

ORDINANCE NO. 13-\_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a buffer of screen planting easement; that the applicant has represented to the City of Huntsville that The Huntsville City Board of Education, a political subdivision of the State of Alabama, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **The Huntsville City Board of Education**, a political subdivision of the State of Alabama, hereinafter referred to as Grantee, and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

All that part of Lot 3 of a Resubdivision of Lot 2, Fairview Farm as recorded in Document Number 20060929000667530 in the office of the Judge of Probate, Madison County, Alabama.

Being more particularly described as Commencing at a point located at the intersection of the east right-of-way margin of Meridian Street and being further described as the southwest corner of Lot 3 according to the record plat of "A Resubdivision of Lot 2, Fairview Farm" as recorded in Document Number 20060929000667530 in the Office of the Judge of Probate of Madison County, Alabama;

Thence, from the Point of Commencement and leaving the east right-of-way margin of said Meridian Street and continuing along the South boundary of said Lot 3, South 88 degrees 51 minutes 26 seconds East, 162.40 feet to a point; thence, leaving the South boundary of said Lot 3, North 01 degrees 14 minutes 43 seconds East, 20.00 feet to a point located on the North boundary of an existing 20 Foot Wide Drainage Easement and the True Point of Beginning;

Thence, from the Point of Beginning and continuing along the North boundary of said 20 foot wide Drainage Easement, South 88 degrees 51 minutes 26 seconds East, 15.00 feet to a point; thence, leaving the North boundary of said 20 foot wide Drainage Easement, North 01 degrees 14 minutes 43 seconds East, 304.17 feet to a point located at the South boundary of an existing 25 foot wide Utility and Drainage Easement; thence, continuing along the South boundary of said 25 foot wide Utility and Drainage Easement, North 88 degrees 43 minutes 38 seconds West, 15.00 feet to a point; thence, leaving the South boundary of said 25 foot wide Utility and Drainage Easement, South 01 degrees 14 minutes 43 seconds West, 304.20 feet to the Point of Beginning and containing 4,563 square feet (0.105 Acres), more or less.

**TO HAVE AND TO HOLD** unto the said grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 14th day of February, 2013.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Charles E. Hagood  
Clerk-Treasurer

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 14th day of February, 2013.

\_\_\_\_\_  
Notary Public

**THIS INSTRUMENT PREPARED BY:**

**Y. Albert Moore, III**  
**LANIER FORD SHAVER & PAYNE P.C.**  
**2101 Clinton Ave W Ste 102**  
**Huntsville, AL 35805**

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Ordinance No. 13-\_\_\_\_\_ (Cont.)  
EROS Investments, LLC

ADOPTED this the 14th day of February, 2013.

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

APPROVED this the 14th day of February, 2013.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama